**HUMAN RIGHTS COUNCIL RESOLUTION 37/22 CONCERNING THE RIGHTS OF PERSONS WITH DISABILITIES - INPUTS BY NATIONAL HUMAN RIGHTS COMMISSION - NIGERIA**

**1(a)** **Does your country have laws, policies, plans, strategies or guidelines at any level government relating to raising awareness about persons with disabilities in particular initiatives to:**

* foster respect for the rights and dignity of persons with disabilities;
* combat stereotypes, prejudices and harmful practices, in relating to persons with disabilities;
* promote awareness of the contributions of persons with disabilities?

The Nigerian government has laws, policies, plans, strategies and guidelines in raising awareness about persons with disabilities which are as follows:

1. The National Policy on Albinism 2012
2. The National Policy on disability in Nigeria 2017
3. The Discrimination Against Persons with Disabilities (Prohibition) Act, 2018; the law prohibits discrimination on the basis of disability and imposes sanctions including fines and prison sentences on those who contravenes it. The Ministry of information is saddled with the responsibilities to create awareness of this Act.
4. The Constitution of the Federal Republic of Nigeria, 1999 (as amended); Section 34 of this Law provides generally for the dignity of human persons, and this provision covers persons with disabilities.
5. Lagos State Special Peoples Act, 2010: it is for the establishment of an office for persons with disabilities, and to safeguard the rights of such people.
6. Nigerians with disabilities Decree 1993
7. Disability laws and policies are existing at subnational (state) levels, for example, Plateau, Kwara, Ondo, Ekiti, Nasarawa, Lagos, Enugu, and Bauchi etc.
8. The Nigerian government in a bid to combat stereotypes, prejudices and harmful practices relating to persons with disabilities had develop community based sensitization and education campaigns; initiated school based disability rights awareness programme; strengthened documentation and reporting on human rights violations against persons with disabilities that are rooted in stigma and customary beliefs.
9. The Nigerian government through the media has been able to collaborate with relevant stake holders, e.g. Non-Governmental Organizations in raising awareness on disabilities and capabilities and skills of persons with disabilities. Campaigns and events honouring persons with disabilities who have made great achievements with the aim to empower other persons with disabilities and changing the mind set of people positively concerning persons with disabilities.

**1(b). What are the challenges to implementing the above?**

The challenges faced by the Nigerian government in implementing the above are under listed:

1. Weak enforcement of the law; the laws which have been made to protect the rights of persons with disabilities and in their interest are not properly enforced and implemented.
2. Inadequate funding; resources allocated to implementing policies and plans are often inadequate. Furthermore, funds to conduct campaigns, or organize seminars are really not inadequate.
3. Negative attitudes; beliefs and prejudices are the main barriers as people do not see disabled people beyond their disability.
4. Lack of data and information / help Centre for Persons with Disabilities.
5. Inadequate policies and standards: policy design does not always take in to consideration the need of persons with disabilities.
6. Lack of political will by the government to ensure to ensure that implementation is carried out.

**2(a) What legislative and policy measures are taken to address hate crimes, hate speech and harmful practices against persons with disabilities.**

The Nigerian government had taken the under listed legislative and policy measures in addressing hate crimes, hate speech and harmful practices against persons with disabilities.

1. National Policy on Albinism 2012
2. The National Policy on Disability in Nigeria 2017
3. Discrimination Against Person with Disabilities (Prohibition) Act 2018
4. Constitution of the Federal Republic of Nigeria 1999 (as amended), section 34

**2 (b) In particular are there legal remedies available for persons with disabilities seeking compensation and reparation? Are there legal provisions to sanction perpetrators, including through criminal law? Please provide information on their application in practice.**

The legal remedies available for persons with disabilities seeking compensation and reparation, are enshrined in the Discrimination Against Person with Disabilities (Prohibition) Act 2018; Section 1 of the Act states that a person with disability shall not be discriminated against on the ground of his disability by any person or institution in any manner or circumstances. A person who contravenes subsection (1), commits an offence and is liable to, if the person is

1. A body corporate, a fine of N1,000,000 and
2. An individual, a fine of N1,000,000 or six months imprisonment or both.

The Constitution of the Federal Republic of Nigeria 1999 (as amended), section 34

**3(a) What steps have been taken to establish standards and/ or good practices on the representation and portrayal of persons with disabilities in broadcast media, including codes, guidelines and other measures (legal, co-regulatory or self-regulatory)?**

* The Akwa Ibom State Broadcasting Cooperation in establishing standards and good practices on the representation and portrayal of persons with disabilities in broadcast media has been helpful in aiding persons with disabilities. They highlight the challenges facing the disabled and educate the public about the need for their safety.
* Also in 2014, the International White Cane Safety, which was widely participated in by the Akwa Ibom State Ministry of Women Affairs and Social Welfare. Furthermore the media has also created awareness by informing the general public and especially governmental and non-governmental organizations that are willing to aid persons with disabilities.

**3(b) In addition, what legal framework, measures or good practices exist to regulate social media in accordance with Article 8 and human rights standards on freedom of expression?**

The legal framework and measures or good practices to regulate the social media in Nigeria are as follows:

1. The 2003 Nigeria Telecommunications Act
2. Constitution of the Federal Republic of Nigeria 1999 (as amended); Section 39 which states that; Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference.
3. Freedom of Information Act 2011
4. Digital Rights and Freedom Bill was passed at the House of Representatives in December 2017 and Senate in March, 2018. It now only requires the president’s assent.

**4 (a) Please provide information on the existence and implementation of the programmes and activities, including successful examples of campaigns, related to raising awareness about persons with disabilities and their rights, and combating negative attitudes including through initiatives of:**

* Training, including human rights education;
* Research, including studies on perception and attitudes;
* Surveys and data collection.

The Nigerian government has carried out several campaigns, trainings, and surveys related to raising awareness about persons with disabilities and their rights and they are as follows:

1. The Ibadan Community Based Vocal Rehabilitation Programme had held sensitization campaigns in target communities to encourage persons with disabilities to register. The trainees received training allowance from the programme
2. The Anambra State Government in collaboration with United Nations Development Programme (UNDP) had commenced the “Special Target Enterprise Development and Monitor Initiatives” for persons with disabilities. This initiative is aimed at empowering 30 participants with vocational skills in four trade areas; shoe making, hair dressing, tailoring and computer management.
3. The Leprosy Mission Nigeria conducted a disability survey in Kogi and Niger States of Nigeria in 2005, investigating the demographic characteristics of persons with disabilities, including gender, age, economic, employment status. Out of 1093 respondents studied, the most common disabilities involved vision (37%), mobility (32%) and hearing (15%). Over half of them have no education and majority unemployed.
4. Food Aid for Disabled Children Project has provided food assistance to schools for disabled children in Niger State. They have also included community awareness initiatives to help change attitudes about persons with disabilities.
5. The National Human Rights Commission had carried out several campaigns and sensitization programmes in collaboration with various Non-Governmental Organizations in creating awareness about persons with disabilities. The most recent was the pre-conference briefing held on 18TH July, 2019, on the proposed conference on the Convention on Rights of Persons with Disabilities, by the UN Chair CRPD in collaboration with the Commission to create more awareness about the rights of persons with disabilities.
6. The Ministry of Women Affairs and Social Development had also conducted several trainings and campaigns of awareness about the rights of persons with disabilities.
7. The Independent Electoral Commission in the last election conducted in February, 2019 also created awareness on the political participation of persons with disabilities through the publishing of an electoral framework to defend their rights.

**4 (b) Please indicate their objective, scope, target, audience, impact (including available data), partners and participants, particularly the participation of and role of persons with disabilities and their representative organisations, and any key factors success.**

The objectives of the Nigerian government and partners are; to raise awareness throughout society, including at the family level, regarding persons with disabilities, and to foster respect for the rights and dignity of persons with disabilities; to combat stereotypes, prejudices and harmful practices relating to persons with disabilities, including those based on sex and age, in all areas of life and to promote awareness of the capabilities and contributions of persons with disabilities.

For example on 6thDecember, 2011, in commemoration of the International Day of Persons With Disability, the NHRC in collaboration with the International Republican Institute (I.R.I.) and Joint National Association of Persons With Disabilities (JONAPWD) organized a Sensitization Walk led by the Governor of Nasarawa State Umar Tanko Al Makura and Senator Bode Olajumoke to the National Assembly from the Eagle Square.

**5. Please provide information on the role of persons with disabilities and their representative organizations including children with disabilities, in the design, implementation, monitoring and evaluation of all measures relating to awareness raising. Please provide detail on concrete mechanisms and activities undertaken for consultation and active involvement (e.g regular meetings, online consultations, etc)**

The role of persons with disabilities and their representative organisations, including children with disabilities, in the design, implementation, monitoring and evaluation of all measures relating to awareness raising are as follows:

i. One of the major roles of organizations representing persons with disabilities, for instance Disability Persons Organization, is to act as a voice and to conscientize them about their rights and access all community services.

ii. These representative organizations of persons with disabilities conduct outreach in order to reach out to those in the rural areas. This action helps to find out the needs, aspirations and challenges that persons with disabilities are facing.

iii. These representative organizations of persons with disabilities fulfill the role of a channel to present their needs to decision makers and service providers at the local, national and international level.

iv. They also provide mutual support and solidarity to persons with disabilities to raise an awareness that they have a common purpose, that of promoting their rights as citizens in the society.

V.These organizations also play a vital role in monitoring and evaluating services to be sure that persons with disabilities have equal right and access to services in the society.

In conclusion, it is common for governments at National and subnational levels in Nigeria, as well as non-governmental organizations to consult with persons with disabilities and their organizations during the design, planning and evaluation stages of awareness programmes.

**TO: THE EXECUTIVE SECRETARY**

**THRU: D(WC&VG)**

**DATE: 22ND JULY, 2019**

**SUBJECT: REQUEST ON INPUTS BY HUMAN RIGHTS COUNCIL RESOLUTION 37/22 CONCERNING THE RIGHTS OF PERSONS WITH DISABILITIES**

The above subject matter refers please.

The Human Rights Council requested the office of the High Commissioner for Human Rights to prepare a study on Article 8 of the Convention on the Rights of Persons with Disabilities in consultations with relevant stake holders, including national human rights institutions, and to present the study to the Human Rights Council before its forty third sessions.

2. In this respect, please find attached abc as inputs of the Commission to the questionnaire on Human Rights Council Resolution 37/22.

Submitted for your consideration and approval.

**Morenike Akinmutimi**